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UNITED STATES PATENT AND TRADEMARK OFFICE  
(Attorney Docket No. 11721US02)

In the Application of:

JOHN B. KENNEY et al.

Serial No.: 09/857,096

Filed: August 17, 2001

For: METHOD AND APPARATUS FOR  
REPLACING LOST PSTN DATA IN  
A PACKET NETWORK

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on October 22, 2001.

By: Ronald E. Larson  
Ronald E. Larson  
Reg. No. 24,478

TRANSMITTAL OF  
INFORMATION DISCLOSURE STATEMENT  
AFTER APPLICATION FILING DATE

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

**ENCLOSURES**

Enclosed are the following:

A completed PTO Form 1449A (modified) and Information Disclosure Statement which have 3 pages.

A copy of each printed or patented reference listed in the enclosed Form 1449A and not previously provided to or by the PTO in this application. Seven (7) references are enclosed.

**FEE DETERMINATION**

No fee is believed to be due because this statement and enclosures are being filed before the first Office Action on the merits has been mailed by the PTO. The basis of this belief is that no Office Action on the merits appears to have been received by the undersigned to date.

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The Commissioner is hereby authorized to charge any additional fees which are presently required, or credit any overpayment, to Deposit Account No. 13-0017.

Consideration of the above-identified references in the examination of the present patent application is respectfully requested. All references with the exception of the publication were cited in a PCT International Search Report mailed May 28, 2000, a copy of which is enclosed.

This submission is in no way intended as an admission that the above-cited references constitute prior art under any subsection of 35 U.S.C. § 102. Applicant expressly retains the right to take any actions necessary to remove the above-cited references from the available prior art.

#### REQUEST FOR CONSIDERATION

This paper and enclosures are believed to be entitled to consideration under 37 C.F.R. § 1.97, based on the facts stated above. The Examiner is required to initial both copies of the enclosed PTO-1449 (modified) and return one copy to the applicants to indicate consideration of the enclosed references.

Respectfully submitted,

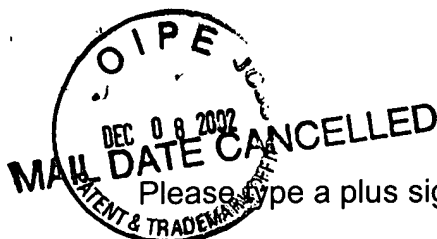
October 22, 2001  
DATE

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Attorney for applicant(s)

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Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

1449A/PTO Commerce Rev. 10/95	U.S. Department of Patent and Trademark Office	Complete if Known	
<b>LIST OF PRIOR ART CITED BY APPLICANT</b> (use as many sheets as necessary)		Application Number	09/857,096
		Filing Date	8/17/01
		First Named Inventor	John B. Kenney
		Group Art Unit	2661
		Examiner Name	
Sheet 1	Of 1	Attorney Docket Number	11721US02

Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Number	Kind Code <sup>2</sup> (if known)		
	1	5,121,349		Naito	06/09/92
	2	5,153,532		Albers et al.	10/06/92
	3	5,592,587		Kunoff et al.	01/07/97
	4	5,754,603		Thomas et al.	05/19/98
	5	5,790,538		Sugar	08/04/98
	6	5,870,397		Chauffour et al.	02/09/99

FOREIGN PATENT DOCUMENTS							
Examiner Initials*	Cite No. <sup>1</sup>	Office <sub>3</sub>	Foreign Patent Document		Name of Patentee or Applicant of cited Document	Date of Publication of Cited Document MM-DD-YYYY	T <sup>6</sup>
			Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)			
	A						

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date page(s), volume-issue number(s), publisher, country, where published, source.	T <sup>2</sup>
	A	Lynch et al., "Speech/Silence Segmentation for Real-Time Coding Via Rule Based Adaptive Endpoint Detection," IEEE, pgs. 31.7.1-31.7.4 (1987)	
	B		

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Examiner Signature	Date Considered	Technology Center 2600
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation not in conformance and not considered. Include copy of this form with next communication to applicant.